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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DEBNATH, SUMAN	
ART UNIT	**PAPER NUMBER**
2135	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/803,473	REED ET AL.	
	Examiner	Art Unit	
	Suman Debnath	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-28 are pending in this application.

Claim Objections

2. Claims 1 is objected to because of the following informalities:

a. It recites limitation "a count value" in line 7. It's not clear if this limitation is same as "a count value" of line 4.

b. It recites limitation "a selected table entry" in line 7. Its not clear if this limitation is same as "a first table entry" of line 4.

c. It recites limitation "the metric" in line 12. It's not clear if this limitation is same as "a metric value" of line 12.

Appropriate correction and/or clarification required.

3. Claim 17 is objected to because it recites "a event" in line 2.

Appropriate correction and/or clarification required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2, 4, 10-15, 17-18, 20 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers et al. (Patent No.: US 6,832,086 B1), hereinafter "Powers" in view of Teague (Pub. No.: US 2003/0229717 A1) and further in view of MeLampy et al. (US 7,002,973 B2), hereinafter "MeLampy".

6. As to claim 1, Powers discloses a method of identifying service abuse, comprising: receiving an event requesting a service (column 3, lines 5-26, "...receives event notifications.."); creating an event identification associated with the event (column 4, lines 40-65, "...creation of an event object"); incrementing a count value of a first table entry of a plurality of table entries in a screening table in response to the event identification matching an event identification associated with the screening table entry (column 5, lines 1-25, "The event counter module 54 increments the counter...."); and determining a metric value for the event from the screening table, the metric indicating that the event is an abusive request (column 5, lines 1-25, "...determine whether the filtered event exceeds the threshold. If the event count exceeds the filtered event exceeds the threshold, an alarm is emitted to the manager 42.").

Powers doesn't explicitly disclose decrementing a count value of a selected table entry of the plurality of table entries in response to the event identification failing to match an event identification associated with the selected table entry; replacing the selected table entry with the event identification associated with the event in response to the count of value of the selected entry equaling zero;

However, Teague discloses decrementing a count value of a selected table entry of the plurality of table entries in response to the event identification failing to match an event identification associated with the selected table entry ([0063], "decrements the counter after a message has been accepted").

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention was made to modify the teaching of Powers as taught by Teague in order to reduce spamming by limiting the number of messages.

Neither Powers nor Teague explicitly discloses replacing the selected table entry with the event identification associated with the event in response to the count of value of the selected entry equaling zero. However, MeLampy discloses replacing the selected table entry with the event identification associated with the event in response to the count of value of the selected entry equaling zero ("...the entries that are no longer required are removed/replaced by the newer entry").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers and Teague as taught by MeLampy in order to allocate the resources effectively by minimizing the resourced used.

7. As to claim 15, it is rejected using the same rationale as for the rejection of claim 1.

8. As to claim 17, Powers discloses wherein each event packet includes an event identification associated with an event (column 4, lines 40-65, "...creation of an event object").

9. As to claims 2 and 18, Power discloses wherein the event identification corresponds with the identity of a user (column 4, lines 40-65).

10. As to claims 4 and 20, Power discloses wherein the event identification includes a user identification (column 4, lines 40-65).

11. As to claim 10, Powers disclose further including disregarding the event in response to the metric value crossing a threshold value (column 5, lines 1-25).

12. As to claim 11, Powers discloses further including terminating a connection used to receive the event in response to the metric value crossing a threshold value (column 5, lines 1-25).

13. As to claim 12, Powers discloses further including returning an error message in response to the event in response to the metric value crossing a threshold value (column 5, lines 1-25).

14. As to claim 25, Power discloses wherein the cluster host is further adapted to determine a metric value for an entry of the master screening table, the metric indicating that the entry of the master screening table corresponds to an abusive request (column 5, lines 1-25, "...determine whether the filtered event exceeds the threshold. If the event count exceeds the filtered event exceeds the threshold, an alarm is emitted to the manager 42.").

15. As to claim 26, Powers discloses wherein the cluster host is further adapted to set a block value associated with the entry in response to the metric value (column 5, lines 1-25)

16. As to claims 13 and 27, Powers discloses further including: determining an average metric value from the metric value and a set of previous metric values; and disregarding the event in response to the average metric value crossing a threshold value (column 5, lines 1-25)

17. As to claims 14 and 28, Powers disclose wherein determining a metric value comprises: determining a first sub-metric value from the screening table; determining a second sub-metric value from a second screening table; determining the metric value from a weighted combination of the first and second sub-metric values (column 5, lines 1-25).

18. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers in view of Teague in view of MeLampy and further in view of Narad et al. (Pub. No.: US 2003/0061332 A1), hereinafter "Narad".

19. As to claim 8, Neither Powers and Teague nor MeLampy explicitly disclose further including: selecting a second table entry as a new selected table entry in response to receiving the event. However, Narad discloses disclose further including: selecting a second table entry as a new selected table entry in response to receiving the event ([0411], "...pointer can be used to speculatively fetch the next record..").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Narad in order to minimize the memory latency.

20. As to claim 9, it is rejected using the same rationale as for the rejection of claim 8.

21. Claims 3, 5-7, 19 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers in view of Teague in view of MeLampy and further in view of Brothers (Pub. No.: US 2002/0083178 A1).

22. As to claims 3 and 19, Neither Powers and Teague nor MeLampy explicitly discloses wherein the event identification includes an IP address. However, Brothers discloses wherein the event identification includes an IP address (FIG. 9C).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Brothers in order to support TCP/IP protocol which is commonly used to transmit data over networks.

23. As to claims 5 and 21, Neither Powers and Teague nor MeLampy explicitly discloses wherein the event identification corresponds with a content value included in the event. However, Brother discloses wherein the event identification corresponds with a content value included in the event ([0020] – [0021], "secure content").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Brothers in order to support various functionality as well as maintaining the security.

24. As to claims 6 and 22, Neither Powers and Teague nor MeLampy explicitly discloses wherein the content value includes at least a portion of a message. However, Brother discloses wherein the content value includes at least a portion of a message ([0020] – [0021], "secure content").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Brothers in order to support various functionality as well as maintaining the security.

25. As to claims 7 and 23, Neither Powers and Teague nor MeLampy explicitly discloses wherein the content value includes at least a portion of a URL. However, Brothers discloses wherein the content value includes at least a portion of a URL ([0020] – [0021]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Brothers in order to support TCP/IP protocol which is commonly used to transmit data over networks.

26. As to claim 24, Neither Powers and Teague nor MeLampy explicitly discloses wherein the content value is a hash of the content value included in the event. However, Brothers disclose wherein the content value is a hash of the content value included in the event ([0020] – [0021]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Brothers in order to support various functionality as well as maintaining the security.

27. Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Powers in view of Teague in view of MeLampy and further in view of Fisherman et al. (Patent Number 5,586,301), hereinafter "Fisherman".

28. As to claim 16, Neither Powers and Teague nor MeLampy explicitly disclose wherein the local screening table is a copy of the master screening table. However, Fisherman discloses wherein the local screening table is a copy of the master screening table (column 7, lines 20-40, "...the corresponding changes are made in the main file allocation table (MAINFAT) and in the cluster affiliation table").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Powers, Teague and MeLampy as taught by Fisherman in order to minimize the transaction time.

Conclusion

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suman Debnath whose telephone number is 571 270 1256. The examiner can normally be reached on 8 am to 5 pm.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SD

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